

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

1 Jun 01, 2021  
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SEAN F. MCAVOY, CLERK

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4 UNITED STATES DISTRICT COURT  
5 EASTERN DISTRICT OF WASHINGTON  
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7 UNITED STATES OF AMERICA,  
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Plaintiff,

9 -vs-  
10 THOMAS CURTIS COLLUM, SR.,  
11

Defendant.

No. 2:08-CR-0137-WFN-41

ORDER DENYING MOTION FOR  
REDUCED SENTENCE

12 Pending before the Court is Defendant's Motion for Compassionate Release. ECF  
13 No. 2983. Defendant has not exhausted his claim with the Bureau of Prisons [BOP], but the  
14 Government has no objection to proceeding to the merits as Defendant sought release while  
15 in Spokane County Jail awaiting transport to a BOP facility, so was unable to exhaust his  
16 claim. See United States' Response to Motion for Compassionate Release, ECF No. 2984.

17 Defendant must demonstrate that "(i) extraordinary and compelling reasons warrant  
18 such a reduction; or (ii) the defendant is at least 70 years of age, has served at least 30 years  
19 in prison, pursuant to a sentence imposed under section 3559(c) . . . and a determination has  
20 been made by the Director of the Bureau of Prisons that the defendant is not a danger to the  
21 safety of any other person or the community, as provided under section 3142(g)." 18 U.S.C.  
22 § 3582(c)(1)(A). As Defendant is not over 70 years old, he must demonstrate that  
23 extraordinary and compelling reasons warrant reduction.

24 Defendant has not demonstrated extraordinary or compelling reasons warranting a  
25 sentence reduction. In his Motion, Defendant cites reasons supporting compassionate  
26 release known to the Court at the time of sentencing. The Court was aware of Defendant's  
27 ongoing health issues at the time revocation. Defendant also struggled with drug use prior  
28 to revocation which exacerbated his health issues. The Court imposed a 6-month sentence

1 after considering the 18 U.S.C. § 3553(a) factors as well as the conditions in the BOP  
2 caused by COVID-19. The Court has reviewed the file and Motion and is fully informed.  
3 Accordingly,

4 **IT IS ORDERED** that Defendant's Motion for Compassionate, filed April 30, 2021,  
5 **ECF No. 2983**, is **DENIED**.

6 The District Court Executive is directed to file this Order and provide copies to  
7 counsel.

8 **DATED** this 1st day of June, 2021.

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11 WM. FREMMING NIELSEN  
12 SENIOR UNITED STATES DISTRICT JUDGE  
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